

REMARKS**Summary of the Office Action**

The oath/declaration was rejected as defective for not identifying the citizenship of each inventor.

Claims 1-4 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,748,580 to Matsui ("Matsui") in view of U.S. Patent No. 6,285,517 to Uekusa ("Uekusa").

Claims 5 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Summary of the Response to the Office Action

A new oath/declaration is submitted in compliance with 37 C.F.R. 1.67(a) identifying this application by application number and filing date, and identifying the citizenship of each inventor.

Claims 1-7 are pending for consideration.

Claims 5 and 6 have been amended to place them in independent form, including all limitations of the base claim and any intervening claims. Claims 1, 2, and 7 have been amended to further define the invention.

Rejection Under 35 U.S.C. § 103(a)

Claims 1-4 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsui in view of Uekusa. Applicants respectfully traverse the rejection of the claims as amended.

Claims 1, 2, and 7 have been amended to recite the feature of the wires extending parallel to each other. This feature is not found in Uekusa.

The Office Action offers no evidence of motivation for combining Matsui and Uekusa. In fact, Matsui and Uekusa teach very different concepts of installing mounting wires that cannot be combined. In the paragraph immediately following that cited in the Office Action, Uekusa states that “each group of elastic supporting members vertically arranged on each side of the objective lens are not parallel to each other.” col. 8, lines 9-11 (emphasis added). The inventors considered this feature important enough that they reproduced the quote in the Abstract of Uekusa. This embodiment is shown in Fig. 1 and is the same embodiment being described at col. 7, lines 63-67 cited by the Office Action and the passage quoted above.

In contrast to Uekusa, Matsui discloses:

One end of each of the four wire springs 16a to 16d vertically arranged at equal intervals parallel to the longitudinal direction of the actuator base 11 and one end of each of the four wire springs 16e to 16h vertically arranged at equal intervals parallel to the longitudinal direction of the actuator base 11 are connected to the pair of printed boards 19c and 19d, respectively.

col. 4, lines 20-27 (emphasis added).

Thus, Applicants assert that there would be no motivation to combine the Uekusa and Matsui references because they describe very different philosophies of installing supporting wires.

Referring to the limitations of claims 1, 2, and 7 that the wires have the same length, the Office Action further states that “the equivalence of the lengths of the wires can be determined from Figures 1 and 5” of Matsui. However, in both Matsui and Uekusa, the wires are shown ending at the connections to the printed boards (Matsui) or holder plates (Uekusa). If the wires were soldered to the substrate at different distances from the attaching means or member, as

recited in claims 1, 2, and 7, presumably the wires would still end at the connections to the printed boards (Matsui) or holder plates (Uekusa). In that case, the wires would not have the same length and would not meet the limitations of claims 1, 2, and 7 of both having the same length and being soldered to the substrate at different distances from the attaching means or member.

For at least the above reasons, Applicants submit that independent claim 1, independent claim 2 and its dependent claims 3-4, and independent claims 5-7 are in condition for allowance. Allowance of claims 1-7 is earnestly solicited.

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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